

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**RICO ISAIH HAIRSTON,**

**Plaintiff,**

**vs.**

**Case No.: 2:18-cv-952  
JUDGE GEORGE C. SMITH  
Magistrate Judge Deavers**

**MR. DAILY, *et al.*,**

**Defendants.**

**ORDER**

On January 14, 2019, the United States Magistrate Judge issued a *Report and Recommendation* recommending that the Plaintiff's claims be dismissed for failure to prosecute. (See *Report and Recommendation*, Doc. 11). This Court previously adopted the Magistrate Judge's November 5, 2018 Report and Recommendation denying Plaintiff leave to proceed in forma pauperis and ordering Plaintiff to pay the filing fee within 30 days. Plaintiff was advised that the failure to pay the fee would result in dismissal of his case. More than 30 days have passed since this Court issued its Order and Plaintiff has failed to pay the filing fee.

The parties were advised of their right to object to the *Report and Recommendation* and of the consequences of their failure to do so. There has nevertheless been no objection to the *Report and Recommendation*. The *Report and Recommendation* is hereby **ADOPTED** and **AFFIRMED**. Plaintiff's claims are hereby dismissed for failure to prosecute.

Further, any appeal of this Order would not be taken in good faith and therefore Plaintiff's request for leave to appeal *in forma pauperis* would be denied.

The Clerk shall remove Document 11 from the Court's pending motions list and close this case.

**IT IS SO ORDERED.**

*/s/ George C. Smith*  
**GEORGE C. SMITH, JUDGE**  
**UNITED STATES DISTRICT COURT**